

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Billy Riley, Jr.

Docket No. 7:06-CR-16-2H

Petition for Action on Supervised Release

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Billy Riley Jr., who upon an earlier plea of guilty to Possession With Intent to Distribute More Than 5 Grams of Cocaine Base (Crack) in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on April 4, 2007, to the custody of the Bureau of Prisons for a term of 180 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On May 5, 2009, Riley's term of imprisonment reduced from 180 months to 144 months pursuant to 18 U.S.C. § 3582(c)(2).

On March 20, 2013, Riley's term of imprisonment reduced from 144 to 116 months resulting from a second motion pursuant to 18 U.S.C. § 3582(c)(2).

Billy Riley, Jr. was released from custody on December 9, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 8, 2017, Riley tested positive for cocaine. When confronted he admitted to using cocaine and admitted his wrongdoing. This was Riley's first positive in 26 urinalysis. He acknowledged he made a mistake and signed an admission form acknowledging use of drugs. Riley is willing to receive substance abuse treatment. He is also in agreement to return to the Surprise Urinalysis Program and that he should be subjected to the DROPS program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert L. Thornton
Supervising U.S. Probation Officer

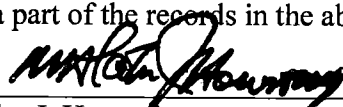
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Erik J. Graf
U.S. Probation Officer
Wilmington, NC
Phone: 910-679-2031
Executed On: March 9, 2017

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ORDER OF THE COURT

Considered and ordered this 15th day of March, 2017, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge